



10/29/03

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RCE \$

Mail Stop RCE

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/772,103

Filing Date: January 26, 2001

First Named Inventor: Beatriz M. Carreno

Group Art Unit: 1644

Examiner: Phillip Gambel

Attorney Docket Number: 08702.0080-00000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] _____.
- ii. ☐ Other _____
- b. ☒ Enclosed:
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. Fees

- a. ☒ The filing fee is calculated as follows:
- i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Petition for extension of time for (_ Months) \$
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$770.00 enclosed.
- c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: E. Stewart Mittler

Reg. No.: 50,316

Signature: *E Stewart Mittler*

Date: *10/29/03*

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: October 29, 2003.

Name: Kathleen M. Bastarache

Signature: *K Bastarache*

Date: *10/29/03*



PATENT
Customer No. 22,852
Attorney Docket No. 08702.0080-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
CARRENO et al.) Group Art Unit: 1644
)
Application No.: 09/772,103) Examiner: P. Gambel
)
Filed: January 26, 2001)
)
For: ANTIBODIES AGAINST CTLA4)
AND USES THEREFOR)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE AND AMENDMENT UNDER 37 C.F.R. § 1.114

A Request For Continued Examination is being filed herewith under 37 C.F.R. § 1.114. This paper is filed in reply to the Final Office Action dated June 3, 2003. A Notice of Appeal was filed on October 3, 2003. Applicants respectfully request reexamination and reconsideration of the claimed invention in view of the following amendments and remarks.

Amendments to the claims are reflected in the list of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

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